

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LARRY BOWOTO, et al.,

No. C 99-02506 SI

Plaintiffs,

**ORDER DENYING PLAINTIFFS'
REQUEST TO EXTEND EXPERT
DISCOVERY DEADLINES**

v.

CHEVRONTEXACO CORP., et al.,

Defendants.

By letter briefs,¹ the parties bring before the Court a dispute over the expert discovery deadlines in this matter. Under the current deadlines, expert designations are due on October 31, 2005, and expert discovery must be completed by November 30, 2005. Plaintiffs request a two-month extension for all expert discovery. In the alternative, plaintiffs seek a two-month continuance of the deadlines for their environmental and corporate structure/agency experts. The Court DENIES plaintiffs' request.

Plaintiffs request an extension for two reasons. First, plaintiffs contend that, with the current December 16, 2005, deadline for non-expert discovery, they do not have enough resources to conduct their expert discovery by the current deadlines. Second, plaintiffs allege that they are still awaiting responses to their final round of discovery, which they propounded on October 10, 2005, and which covers material that their experts need.

The Court agrees with defendants, however, that plaintiffs have known of the environmental and agency issues in this case since its inception more than six years ago. Further, plaintiffs have known the expert discovery deadlines since they were imposed 16 months ago. To the extent that plaintiffs have not been able

¹Plaintiffs raised this issue in a letter brief dated October 13, 2005 (Docket No. 723). Defendants responded in a letter brief dated October 20, 2005 (Docket No. 727).

1 to gather the necessary information for their experts, that failure must be attributed to lack of prioritization,
2 rather than a lack of opportunity.

3 Plaintiffs have had ample time to collect the information needed by their experts. Accordingly, their
4 request for a two-month extension is DENIED.

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6 **IT IS SO ORDERED.**

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8 Dated: October 25, 2005

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SUSAN ILLSTON
12 United States District Judge
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